

Berkshire County Retirement Board Meeting
April 24, 2024

The meeting of the Berkshire County Retirement Board was called to order at 8:30A.M. in the Berkshire County Retirement Office, located at 29 Dunham Mall, Pittsfield, MA. Present at the meeting were Mark Bashara, Elected Member, Timothy Sorrell, Elected Member and Sue Funk, Advisory Board member. Beth Matson Appointed member participated remotely. Michael Ovitt, Chairman was absent.

PUBLIC COMMENT:

1.) Members of the public have the opportunity to address the Retirement Board. There was no public comment.

NEW BUSINESS:

2.) The Board is asked to approve a 3% COLA (new COLA base \$16,000) for retiree who retired before June 30, 2023. COLA will be effective July 1, 2024.

Sheila LaBarbera: The COLA base is now \$16,000. The 3% increase will be an annual amount of \$480, that is \$40 per month and we will calculate that COLA for July 2024 pension payroll.

Timothy Sorrell: Is this a vote of necessity since at least two of us collect a pension as retirees? Do we have to announce a rule of necessity?

Sheila LaBarbera: We actually asked PERAC for a ruling on the COLA vote years ago and because it is a benefit for all 900+, retirees not just you personally, your vote is legal.

Timothy Sorrell: I will make the motion to approve a 3% COLA on a base of \$16,000 for retirees who retired before June 30, 2023, and the COLA will be effective July 1, 2024.

Sue Funk: Second.

A roll call vote was taken to approve the 3% COLA on the \$16,000 COLA base effective July 1, 2024. The vote was unanimous.

3.) Legal Update: Legal update for April.

Sheila LaBarbera: The only item for the Legal Update is the Mendel V. BCRS and MTRS. Tom Gibson dealt with DALA yesterday afternoon and they asked for a 90-day pause because MTA is going to represent Ms. Mendel for this appeal. The brief outlines all of the details of her appeal, but it appears the issue is going to end up with MTRS not BCRS. We have no additional service to give and there were attempts by MTRS to resolve her service issue before she retired and opted not to accept their proposals.

4.) Directors update: PTG meeting, Treasurer Training

PTG Meetings

Sheila LaBarbera: Our PTG meetings have been productive. We meet with them monthly. I think we have given them a lot more input than they have expected, but they are working on issues and we are making progress.

Credit Card Policy

PERAC has issued the new guidelines in PERAC memo #13/ 2024, move to 840 CMR 15.00. Will check with Tom Gibson for a revised credit card policy for the Board to approve.

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Treasurer Training Worker's Compensation

We have scheduled a treasurer training to cover worker's compensation. We have a number of towns that process workers comp in ways that you cannot process payments anymore. We have several towns that actually take the worker's compensation check, deposit it, and reissue a taxable paycheck. That is illegal and you cannot do that anymore. It will be a tangle for their union contract but you are taking nontaxable money and making taxable, and you cannot do that.

The other issue we will discuss no deductions on any compensation when an employee is on worker's compensation. That means sick, vacation, longevity any compensation that they are receiving is not pensionable. We are issuing refunds and sorting out the details on some past payments, so hopefully we can correct these issues moving forward.

Insurance Portal Training

The insurance portal is all set up in our QA site. We have scheduled trainings, so now it is a race to get everybody that I can on in mid-May, as there is a premium holiday for the Berkshire Health Group. We are trying to get as many units as possible set up in May.

Cybersecurity / Irontech/ Synergex Update

Ascentek our current MSP provider has merged with a company called Synergex. Synergex has since changed their name to Iron Tech. We as a current Ascentek customer were absorbed as an existing customer. Irontech had about forty customers that had an office like ours with less than ten employees. Ten is apparently the minimum number for a lot of subscriptions and cybersecurity tools. Irontech was going to come up with a business plan for those forty businesses. About a week ago, he sent out an email and he has decided that he is not going to support nor come up with a plan for those forty businesses.

There is a company to do that is going to come up with a plan for those forty businesses it is called Nova Computers. John Charow is going to pick up the forty Ascentek customers and provide us with a plan for our computer operations going forward. I spoke with Mike Ovitt about this he asked who else is there. Unfortunately, there is not anyone else.

I have talked to Joel about looking for someone in the area to provide MSP services, in case something goes wrong not just for cyber breach. Joel realizes the urgency of the situation and wants to make sure that we have somebody secure for our operations. Nova Computers will provide us with an estimate to provide MSP services.

I am planning to put together a grant proposal to MIIA for the creation of our policies and procedures for computer security. I am hoping to get some grant money to do that after July 1, 2024.

Direct Deposit account verifications

We sent out prenotes this month to all of our retirees. We are trying to ensure that the account is, in fact, a good account, that it belongs to our retiree of record. We have only had a few bounce back with incorrect information. If you look at your account, you will see that there is a debit for zero in your account. We have had a few people call and ask about the debit. Unfortunately, I do not really have a way to send out an email to our retirees to say we did this to audit our account information. Regular pension payments will be made on April 30, 2024.

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Lastly, we use PBI audit services to track retiree deaths. The PERAC memo outlines the changes in annual affidavit mailings. I am not sure that we will send out affidavits this year because we use PBI to track deaths so affidavits will no longer be required for Berkshire County Retirees on an annual basis. We may look at doing that every other year and a notary is no longer required just an attestation.

Consent Agenda Detail:

MINUTES:

a.) The Board minutes of the regular session & executive session meeting held March 27, 2024, were signed and approved.

Minutes provided as an attachment to email

INVESTMENTS:

b.) The Board received from PRIT a statement of performance for March 2024. The PRIT Fund returned 1.70% for the month of March.

BANK STATEMENTS:

c.) The Board received the bank statements for March 2024 and the budget for April 2024. *Cash Books for March were sent to Board by email.*

MONTHLY WARRANTS:

d.) The Board approved payment vouchers:

04-01-24	\$19,063.42
04-02-24	\$141,543.99
04-03-24	\$20,446.47
04-04-24	\$20,745.55

REQUESTS FOR RETIREMENT:

e.) The Board approved the application for superannuation retirement from Luis Grijalva, SBRSD, Custodian. The retirement will be effective 04/16/2024.

The Board approved the application for superannuation retirement from Kathryn Hoctor, FRRSD, paraprofessional. The retirement will be effective 06/12/2024.

The Board approved the application for superannuation retirement from Terry Vogel Jr, Great Barrington, Town Mechanic. The retirement will be effective 04/05/2024.

The Board approved the application for superannuation retirement from Matthew Withers, Lee Housing, Maintenance Supervisor. The retirement will be effective 03/01/2024.

MEMBER TRANSFERS OUT OF SYSTEM:

f.) The Board approved the notice of transfer of the account of Ryan Lucy, a member in Lee, to the MTRS. The Berkshire County Retirement Board will accept 10 years and 11 months of creditable service. The amount of the transfer is \$55,254.75.

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The Board approved the notice of transfer of the account of Melinda Buda, a member in MGRSD, to the MTRS. The Berkshire County Retirement Board will accept 23 years and 8 months of creditable service. The amount of the transfer is \$59,104.59.

The Board approved the notice of transfer of the account of Thomas J. Dean, a member in Becket, to the State Retirement Board. The Berkshire County Retirement Board will accept 5 years and 8 months of creditable service. The amount of the transfer is \$27,184.65.

REQUEST FOR SERVICE BUYBACK:

g.) Jodi Hollingsworth, a member in Lanesboro, is eligible to buy back 7 years of prior creditable service. If Ms. Hollingsworth pays \$32,773.08 into the annuity savings fund by May 31, 2024, the board will grant 7 years of creditable service.

Jana Bush, a member in FRRSD, is eligible to buy back 5 months of prior creditable service. If Ms. Bush pays \$1,424.61 into the annuity savings fund by May 31, 2024, the board will grant 5 months of creditable service.

Christopher Graceffa, a member in FRRSD, is eligible to buy back 2 months of prior creditable service. If Mr. Graceffa pays \$944.83 into the annuity savings fund by May 31, 2024, the board will grant 2 months of creditable service.

Rebecca Miller, a member in Lenox, is eligible to buy back 1 year and 7 months of prior creditable service. If Ms. Miller pays \$4,936.82 into the annuity savings fund by May 31, 2024, the board will grant 1 Year and 7 months of creditable service.

Maximillian Kolb, a member in Egremont, is eligible to buy back 6 months of prior creditable service. If Mr. Kolb pays \$2,057.97 into the annuity savings fund by May 31, 2024, the board will grant 6 months of creditable service.

REQUESTS FOR REFUNDS:

h.) The Board approved the applications for refunds from the following members: (Pending approval from Dept. of Revenue- child support division)

M. Buda	MGRSD	\$35.53 (Partial-Deds taken in Error)
T.J. Dean	Becket	\$185.58 (Partial-Deds taken in Error)
R. Lucy	Lee	\$431.21 (Partial-Deds taken in Error)
A. Cozzaglio	Lee	\$22,753.79

INJURY REPORTS:

- i.) There was one injury reported in the Town of Florida for the month of April and one injury reported from CBRSD for the month of April.

NEW MEMBER APPLICATIONS:

j.) The Board approved for membership in the Berkshire County Retirement System the following members:

7890	Stephanie Sayers	Florida	2/26/2024	Teacher's Assistant	1
7891	Jonathan Choquette	Savoy	3/4/2024	Operator	1
7892	Jeffrey Crosier	Lee	4/8/2024	Facilities Director	1

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7893	Joseph Haskell Sr.	Becket	2/20/2024	Equipment Operator	1
7894	Ethan Packard	Lee	4/1/2024	Para	1
7895	Kim Clark	Florida	3/11/2024	School Nurse	1
7896	Angela Zimmerman	Williamstown	3/11/2024	Library Director	1
7897	William Lenox	Williamstown	3/11/2024	Laborer	1
7898	Elizabeth Rowe	Williamstown	4/1/2024	Asst Collector/Treasurer	1
7899	Stephen Rennell	Williamstown	4/8/2024	Facilities Technician	1
7900	Ann Paul	BHRSD	4/1/2024	Para	1

RETIREMENT ALLOWANCE APPROVALS:

k.) There were no retirement allowance approvals for April.

3(8)c REIMBURSEMENTS:

l.) There are no 3(8)c reimbursement letters in April.

PERAC CORRESPONDENCE:

m.) The Board received from PERAC the following memorandums:

#11/ 2024 Mandatory Retirement Board Training 2Q24

#12/ 2024 PERAC Regulations 840 CMR 4.0 & 25.0

#13/ 2024 PERAC Regulations 840 CMR 2.0, 8.0, 11.0, 12.0, 15.0

Note: copies of memorandums and letters given to each Board member

TRAVEL & EDUCATION APPROVALS:

n.) The Board approved the travel expense for staff to attend MIIA Injured on Duty Workshop on April 10, 2024 in Northampton, MA.

The Board approved the travel expense for staff to attend MIIA Municipal Cybersecurity Summit on May 8, 2024 in Worcester, MA.

The Board approved the travel expenses board members and staff to attend the spring MACRS Conference in Hyannis May 31, 2024 thru June 5, 2024.

MISCELLANEOUS CORRESPONDENCE:

o.) -Email from Bill Keefe regarding fraud alert for bank direct deposits.

- Legal Update BCRS, MTRS vs. L. Mendel DALA filing

A motion by Tim Sorrell to approve the consent agenda as presented, second Sue Funk.

A roll call vote was taken to approve the consent agenda as presented. The vote was unanimous.

The next regular board meeting is scheduled for Wednesday, May 29, 2024 at 8:30am.

A motion was made by Sue Funk to adjourn the meeting at 8:48am. Tim Sorrell, second.

A roll call vote was taken to adjourn, the vote was unanimous.

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RESPECTFULLY SUBMITTED:

Sheila LaBarbera, Executive Director

APPROVED BY:

Michael Ovitt, Chairman

Mark Bashara, Elected Member

Timothy Sorrell, Elected Member

Sue Funk, Advisory Council Member

Beth Matson, 5th Member Appointed